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CENTRAL FAX CENTER****MAR 15 2007**REMARKS:

- 1) Entry and consideration of this Response after Final are respectfully requested. No amendments are being made. The present remarks are directly responsive to the new grounds of rejection that were raised in the Final Office Action. Thus, this is applicant's first opportunity to reply to the new grounds of rejection. This Response does not raise any new issues that would require further search or consideration, but rather only addresses the issues of the Final Office Action. For the above reasons, entry and consideration of this Response after Final are appropriate and are respectfully requested.
- 2) Referring to item 10) of the Office Action Summary, please indicate the acceptance of the drawings filed on July 28, 2003.
- 3) Referring to item 12) of the Office Action Summary, please acknowledge the foreign priority claim and receipt of the certified copy of the priority document, which was filed herein on July 28, 2003.
- 4) The rejection of claims 1, 3, 4, 6 to 9 and 11 to 20 as anticipated by British Patent GB 2 047 081 (GB '081) is respectfully traversed.
- 5) GB '081 discloses a vacuum-cleaner floor cleaning tool that includes a support element (12), a power-driven brush roller (22), an adjusting element (14), a pivot lever (54), and a

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biasing spring (72). The Examiner has cited reference number 14 as being the support element, and reference number 40 as being the adjusting element, but such an analogy is incorrect. Namely, the "adjusting element" according to the present claims must be supported by and connected to a mounting point on the pivot lever, so that the adjusting element can be moved out of the housing to contact on the floor and exert a second portion of the total contact force on the floor. The "handle 40" of GB '081 is not arranged to meet such requirements of the presently claimed "adjusting element". Thus, it seems more applicable to regard the "wheels 14" as the presently claimed "adjusting element", and the "wheels 12" as the "support element".

- 6) More importantly, the arrangement and cooperation of the biasing spring (72), the pivot lever (54) and the adjusting element (14) in GB '081 are completely different from the arrangement and cooperation of these elements according to the present invention.
- 7) According to the present invention, the biasing spring is connected to the pivot lever in such an arrangement so as to pivot the pivot lever so that the spring bias moves the adjusting element out of the housing to contact on the floor and exert a second portion of the total contact force of the floor cleaning tool on the floor.

Thus, the spring is arranged in cooperation with the pivot lever so that the spring force urges the adjusting element outwardly out of the housing and toward and onto the floor in a spring-biased manner. As a result, the "second portion of the

total contact force" exerted by the adjusting element onto the floor is a spring-biased force established by the spring-stress of the biasing spring further dependent on the lever ratio provided by the pivot lever. This achieves a spring-loaded floating behavior of the adjusting element against the floor. In this regard, see the present specification at page 4 lines 18 to 22, page 5 lines 4 to 23, page 6 lines 11 to 14, page 10 lines 11 to 13, and page 10 line 23 to page 11 line 6.

Each one of the present independent claims 1, 13, 15, 19 and 20 expressly define the arrangement of the adjusting element supported by the pivot lever, and the biasing spring connected to the pivot lever, so that the biasing spring exerts a biasing force onto the pivot lever "so as to move said adjusting element out of said housing to contact on the floor and exert a second portion of the total contact force of said floor cleaning tool on the floor". This arrangement achieves the spring-loaded floating support and pressing of the adjusting element against the floor with a force established by the spring stress of the spring pushing the adjusting element out of the housing.

These features are not disclosed and would not have been suggested by GB '081.

- 8) In the arrangement according to GB '081, the spring (72) is connected to the pivot lever (54) so as to pull the lever into the housing. That is directly contrary to the present invention.

Namely, contrary to the present claims, the spring (72) according to the GB patent does **NOT** exert a biasing force that biases the pivot lever so as to move the adjusting element (wheel

14) **out** of the housing so as to press against the floor with this spring bias. Instead, the spring (72) pulls the adjusting element (wheel 14) into the housing.

Rather than achieving a spring-loaded floating arrangement and operation of the adjusting element under the effect of the spring bias, GB '081 establishes a mechanically fixed protrusion position of the adjusting element (wheel 14) that is set by the adjustment position of the slider handle (40) cooperating with the lever (54) through a cam arrangement (56, 58), and/or by the slider switch (48, 78) (page 2 lines 19 to 122). It is clearly set forth by GB '081 that the spring (72) pulls the wheels (14) upwardly into the housing (10), simply to keep the pivot lever arrangement engaged against the slider arrangement (40, 38, 58), and to prevent the wheels (14) from falling loosely downwardly out of the housing when the cleaning tool is lifted up away from the floor (page 2 lines 85 to 89, page 3 lines 18 to 21).

Contrary to the present invention, the contact force of the adjusting element (wheel 14) against the floor in the arrangement of GB '081 is specifically determined by the downward position of the wheel, which is mechanically established and fixed by the mechanical slider arrangements (discussed above) pressing downwardly on the pivot lever (54). The contact force exerted by the wheel (14) against the floor is thus not determined by the spring bias force of the spring (72), but instead has no relation to that spring bias force whatsoever. Rather, the contact force of the wheel on the floor is mechanically established by the geometry of its adjusted (and then fixed) protrusion position

from the housing relative to the position of the rear wheel (12) and the brush roll (22).

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- 9) For the above reasons, the respective invention according to each of the present independent claims is not anticipated by GB '081. Furthermore, in view of the directly contrary mechanical requirements according to GB '081, a person of ordinary skill in the art would have found no suggestion and no motivation to proceed with a significant modification of the arrangement and cooperation of the spring, the pivot lever, and the adjusting element, as set forth in the present claims. Thus, the present invention also would not have been obvious. The dependent claims are patentable already due to their dependence.
- 10) For the above reasons, the Examiner is respectfully requested to withdraw the rejection of claims 1, 3, 4, 6 to 9 and 11 to 20 with regard to GB 2 047 081. Favorable reconsideration and allowance of the application, including all present claims 1, 3, 4, 6 to 9 and 11 to 20, are respectfully requested.

Respectfully submitted,  
Thomas STEIN et al.  
Applicant

WFF:he/4526  
Enclosures:  
Transmittal Cover Sheet  
Term Extension Request  
Form PTO-2038

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I hereby certify that this correspondence with all indicated enclosures is being transmitted by telefax to (571) 273-8300 on the date indicated below, and is addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

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